UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,577	08/13/2001	Travis J. Parry	10007333-1	7880

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EXAMINER
HAILU, TADESSE

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 February 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-15 and 21-25</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-15 and 21-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 February 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to the Amendment submitted and entered on

Feb 22, 2005 for the patent application number 09/928,577 filed on August 13, 2001.

2.   The pending claims 1-15, and 21-25 are examined herein as follows:

Drawings

3.   The corrections to the drawings submitted on Feb 22, 2005 have been

considered and entered into the file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   <u>Claims 1-15, 21-22, and 24-25 are rejected under 35 U.S.C. 103(a) as being</u>

<u>unpatentable over Wood et al (US Pat No 6,453,127) in view of Roosen et al (US Pub.</u>

<u>No. 2002/0036793).</u>

With regard to claim 1:

As illustrated in Fig. 4, Wood discloses a basic user interface display page for a

printer 15 (see Fig. 1). Again, as shown in Fig. 4, there are sets of parameters that can

be customized by an operator/user (column 3, lines 22-32).

Wood also discloses a web browser 20 of remote workstation 11 or a web browser 31 of workstation 30 initiates a request to web server 32 of to send via HTTP connection 18 a displayed web page to web browser 20, which may includes one or more

Wood also discloses initiating a remote request (from workstation 11, Fig. 1) over said network (Internet 21, Fig. 1) for a web page (via web browser 20) from said web server (web server 32, Fig. 2), said web page associated with at least one software application (e.g., java applet 21), Fig. 2), said at least one software application configured (set up) to provide customizable control panel functionality for controlling operations of said printing device (column 3, lines 24-63, Fig. 4, column 5, lines 3-53; column 6, lines 66-column 7, lines 20);

Wood also discloses transmitting said web page over said network (column 4, lines 34-52; column 6, lines 66-column 7, lines 20; Fig. 2).

Wood also discloses downloading and displaying said web page using said web browser (Abstract, column 6, lines 1-10).

Wood also discloses downloading said at least one software application using said web browser in response to downloading said web page (Abstract, column 2, lines 67-column 3, lines 8; column 10, lines 46-55), and

Wood further discloses customizing a printer control panel using said at least one software application (column 3, lines 24-63, Fig. 4).

Furthermore, while Wood describes the web server residing at computer 30 (column 2, lines 49-65), but Wood does not disclose, "a web server incorporated in a

printing device and linked to said network," as required by claim 1. However, Roosen discloses several implementations of a web-enabled features similar to current invention, in which Roosen describes that the web server need not be resident at each workstations (Roosen, Fig. 2B), Rather, the web server may be built (or incorporated) into each printer (Roosen, Fig. 2C, paragraph 111).

Roosen and Wood are from analogous art because they are from the same field of endeavor, that is, web-enabled remote printer control. Although he web server is not placed within the printing device in Wood, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to place the web server within the printing device as described by Roosen because this implementation (i.e., placing web server at the printing device) is suitable for environments containing only one or more or a small number of printers (see Roosen, paragraph 111).

Therefore, it would have been obvious to combine Roosen and Wood to obtain the invention as specified in claim1.

With regard to claim 2:

Wood further discloses providing a library of selectable printing features by said at least one software application (column 3, lines 22-31, column 6, lines 66-column 7, lines 8). For example, as illustrated in Fig. 4, a library of selectable printing features are shown, such features includes side imaged, collate, and paper, image quality, and so forth. Wood further discloses additional display options for selection of print job information features or templates (column 3, lines 14-65).

With regard to claim 3:

Wood further discloses that the customizing comprises selecting at least one

printing feature from said library of selectable printing features (column 3, lines 22-31).

For example, as illustrated in operator interface screen, i.e., operator control/panel of

Fig. 4, one or more of the printing features or job information features or templates are

selectable by the operator (column 3, lines 14-65).

With regard to claim 4:

Wood further discloses that each of said printing features (column 3, lines 54-65)

of said library of selectable printing is associated with an identifier (column 3, lines 14-

65), and wherein said selecting comprises selecting said at least one printing feature

on the basis of said identifier (column 3, lines 22-31; lines 54-65).

With regard to claim 5:

Wood further discloses providing a workstation configured with said web browser

(column 4, lines 49-52). As illustrated in Fig. 2, workstation 11 configured with said web

browser 20, and workstation 30 configured with web browser 31 (Fig. 2).

With regard to claim 6:

Wood further discloses storing said at least one printing feature (column 6, lines

41-54).

With regard to claim 7:

Wood further discloses that said storing comprises storing said at least one

printing feature in a memory component of said printing device 15 in job image buffer

24 (Fig. 2, column 6, lines 41-54; column 6, lines 66-column 7, lines 20).

With regard to claim 8:

Wood further discloses that the customizing a previously stored printer control panel, said previously stored printer control panel accessed from said memory component of said printing device or said workstation. For example, user can access/open a saved job and customizes the saved control/panel (column 3, lines 40-43; column 6, lines 22-34).

With regard to claim 9:

Wood further discloses accessing said previously stored printer control panel using at least one of a PIN or a password (column 6, lines 3-18).

With regard to claim 10:

Wood further discloses arranging said at least one printing feature in a user-determined configuration prior to said storing (column 3, lines 40-43).

With regard to claim 11:

Wood further discloses arranging said at least one printing feature on a graphical user interface displayed within said web browser (column 5, lines 3-35).

With regard to claim 12:

Wood further discloses that said web browser comprises a java-enabled Web browser (column 1, lines 46-59; column 4, lines 53-66).

With regard to claim 13:

Wood further discloses executing said at least software application using a Java Virtual Machine platform on said workstation (column 4, lines 53-66; column 6, lines 6-15).

With regard to claim 14:

Wood further discloses that said initiating said remote request over said network

comprises initiating said remote request over the Internet (column 2, lines 49-column 3,

lines 32; column 4, lines 34-52, and Figs. 1 and 2).

With regard to claim 15:

Wood discloses a system (Fig. 1) for customizing a printer control panel (column

3, lines 24-63, Fig. 4).

Wood also discloses at least one workstation (e.g., Workstation 11, Figs 1 or 2)

configured for communicating (via http connection 18, Fig. 2) with said network Internet

21), said at least one workstation (Workstation 11) having a web browser (web browser

20, Fig. 2) thereon.

Wood further discloses at least one software application (Java applet 21, Fig. 2)

transmissible by said web server (32) and accessible by said web browser (20), said at

least one software application (java applet 21) configured to provide customizable

control panel functionality for said printing device through user input on said at least

one workstation (column 2, lines 49-65; column 3, lines 54-65; column 4, lines 8-33;

column 5, lines 3-24).

Furthermore, while Wood describes the web server residing at computer 30

(column 2, lines 49-65), but Wood does not disclose "a printing device incorporating a

web server, said web server linked to a network," and linked to said network" as

required by claim 1. However, Roosen discloses several implementations of a web-

enabled features similar to current invention, in which Roosen describes that the web

server need not be resident at each workstations (Roosen, Fig. 2B), Rather, the web

server may be built (or incorporated) into each printer (Roosen, Fig. 2C, paragraph 111).

Roosen and Wood are from analogous art because they are from the same field of endeavor, that is, web-enabled remote printer control. Although he web server is not placed within the printing device in Wood, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to place the web server within the printing device as described by Roosen because this implementation (i.e., placing web server at the printing device) is suitable for environments containing only one or more or a small number of printers (see Roosen, paragraph 111).

Therefore, it would have been obvious to combine Roosen and Wood to obtain the invention as specified in claim 15.

With regard to claim 21:

Independent claim 21 corresponds generally to independent claim 1 and recites similar features. In addition to claim 1, claim 21 further recites at least one other network device. Wood in view of Roosen discloses a plurality of network devices at least including one other printer, e.g., printer 15, 15', or 15") (Wood, Fig. 1).

With regard to claim 22:

Wood in view of Roosen discloses that said at least one other network device comprises a printing device, e.g., printer 15, 15', or 15") (Wood, Fig. 1).

With regard to claim 24:

Wood in view of Roosen further discloses that said at least one software application configured to provide customizable control panel functionality comprises

identifying the availability and status of said at least one network device (Wood, column

3, lines 66-column 4, lines 7, column 5, lines 25-35).

With regard to claim 25:

Wood in view of Roosen further discloses that said at least one software

application configured to provide customizable control panel (e.g., Fig. 4) functionality

comprises providing links to the at least one other network device (Wood, column 3,

lines 24-63, Fig. 4).

5.   Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wood

et al (US Pat No 6,453,127) in view of Roosen et al (US Pub. No. 2002/0036793) as

applied to claim21 above, and further in view of Jackson (US Pub No. 2002/0131072).

While Wood in view of Roosen discloses that said web server incorporated in a

printing device may communicate with said at least one other network device (Wood,

e.g., other printer 15', or 15", Fig. 2) in a client/server arrangement or architecture. But

Wood in view of Roosen does not describe said architecture as a peer-to-peer network

as required in claim 23. However, Jackson discloses a peer-to-peer architecture.

Jackson further discloses web server communicating with other device in a peer-to-peer

relationship (Jackson, paragraph 39).

Wood, Roosen and Jackson are analogous art because they are from the same

field of endeavor, controlling a networked device, e.g., printing device.

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to use peer-to-peer architecture of Jackson in place of Wood in view of

Roosen because as suggested in Jackson one using peer-to-peer architecture will be

benefit than other arrangement architecture (Jackson, paragraph 39).

Therefore, it would have been obvious to combine Wood, Roosen with Jackson

to obtain the invention as specified in claim 23.

Response to Arguments

6.   Applicant's arguments filed Feb 22, 2005 have been fully considered but they are

not persuasive. Applicant asserts that a prima facie case of obviousness under 35 USC

103 has not been established. regarding the claimed invention because any

combination of the cited art does not teach or suggest every element pf claims 1 and

15 , namely *"customizing a printer control panel."*

As recited in the Office Action, Wood teaches all of the limitations of the current

invention including *customizing a printer control panel.* Wood discloses at least one

software application configured (customized) to provide customizable control panel

functionality for controlling operations of said printing device *(see Wood,* column 3,

lines 24-63, Fig. 4). But Wood does not clearly disclose "a web server incorporated in

a printing device and linked to said network." However, Roosen discloses several

implementations of a web-enabled features similar to current invention, in which

Roosen describes that the web server need not be resident at each workstations

(Roosen, Fig. 2B), rather, the web server may be built (or incorporated) into each

printer (Roosen, Fig. 2C, paragraph 111). Thus, the Examiner has established a *prima*

facie case of obviousness regarding "a web server incorporated in a printing device

and linked to said network.' limitation. Not regarding "*customizing a printer control panel.*" As asserted by the Applicant. Because, this portion *(customizing a printer control panel)* is clearly disclosed in Wood (see above).

First, The suggestion /motivation for doing so (i.e., to place the web server within the printing device as described by Roosen) would have been suitable for environments containing only one or more or a small number of printers (see Roosen, Fig. 2C, paragraph 111). Thus web server that is built into the printer will be able to inform the browser of the status of its own printer and of print jobs residing in that printer. this arrangement is especially suitable for environments containing only one or a small number of printers. Second, the examiner at the time this invention was made, one of ordinary skill in the art would have been motivated to produce a web server incorporated in a printing device and linked to a network using the method of the prior art with a reasonable expectation of success. Third, he nature of the problem to be solved in both the prior art and the invention is similar. The combined prior art device (i.e., network printer) is capable of being modified to run the way the apparatus (printing device) is claimed, and there is a suggestion or motivation in the reference to do so (see, Roosen paragraph 111). Thus, the Examiner has established the prima facie case of obviousness.

Having fully addressed the applicant's arguments, the rejection still sands.

CONCLUSION

7.   **This ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8.   Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:00 - 630 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (571) 272-4048 Art Unit 2173.

9.   Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu

March 25, 2005